

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**COUNCIL CHAMBERS**  
**WILLMAR MUNICIPAL UTILITIES BUILDING**  
**WILLMAR, MINNESOTA**

July 5, 2005  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Cindy Swenson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Planning and Development Services Director Bruce Peterson, Assistant City Engineer Brian Bollig, and City Clerk Kevin Halliday.

The Council requested that Planning Commission Minutes of June 22, 2005 and the Zoning Appeals Board Minutes of June 20, 2005 be removed from the Consent Agenda.

Council Member Reese offered a motion adopting the Consent Agenda which included the following: City Council Minutes of June 20, Municipal Utilities Commission Minutes of June 27, Housing and Redevelopment Authority Minutes of May 10, Convention and Visitors Bureau Minutes of May 17, and Community Education and Recreation Board Minutes of June 24, 2005. Council Member Fagerlie seconded the motion, which carried.

The Council discussed Planning Commission Item No. 3 regarding the Gesch Acres in relation to storm water runoff and retention ponding. Also discussed was Item No. 5 – review of the Rice Hospital Parking Plan in the old 1932 hospital addition area. After discussion on both items, Council Member Dokken moved to approve the Planning Commission minutes of June 22, 2005, with Council Member Gardner seconding the motion, which carried.

The Council discussed Zoning Appeals Board Item No. 2 – a variance request for a side yard right-of-way setback. Concerns for setting a precedent were discussed. Council Member Christianson moved to approve the Zoning Appeals Board minutes of June 20, 2005, with Council Member Dokken seconding the motion, which carried.

At 7:12 p.m. Mayor Heitke opened a hearing on a request to vacate a portion of a transmission line easement. Planning and Development Services Director Peterson informed the Mayor and Council that Joel Jorgenson requests the vacation of a portion of the transmission line easement for a land sale. The Municipal Utilities will be retaining an easement to cover the transmission line. The Planning Commission approved the partial easement vacation as it covered all of the property owners land, not just the transmission line. There being no one present to speak for or against the proposed vacation, Mayor Heitke closed the hearing at 7:13 p.m.

Resolution No. 1 was introduced by Council Member Christianson, seconded by Council Member DeBlieck, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

**RESOLUTION NO. 1**

WHEREAS, a petition has been filed by Joel Jorgenson for the vacation of a portion of a transmission line easement owned by the City of Willmar and described as follows:

Beginning at a point on the North line of Section 3, Township 118, Range 35 West, 1,343 feet East of the Northwest corner of said Section 3 which is the point of beginning; thence South and parallel to the West line of said Section 3 a distance of 200 feet, thence West and parallel to the North line of said Section 3 a distance of 200 feet, thence South and parallel to the West line of said Section 3 to a point on the South line of the North  $\frac{1}{2}$  line of the NW  $\frac{1}{4}$  of said Section 3, thence East on the South line of the North  $\frac{1}{2}$  line of the NW  $\frac{1}{4}$  of said Section 3 to a point on the East line of the NW  $\frac{1}{4}$  of said Section 3, thence North on the East line of the NW  $\frac{1}{4}$  of said Section 3 to the North line of said Section 3, thence West on the North line of said Section 3 to the point of beginning.

WHEREAS, the proposed easement vacation has been approved by the Planning Commission of the City of Willmar; and

WHEREAS, published notice and mailed notice of the proposed vacation and the hearing thereon have been given as provided by Subdivision 6 of Section 9.01 of Article IX of the Willmar City Charter; and

WHEREAS, the City Council of the City of Willmar finds that granting said petition will not deny any person utility service now being provided through said easement; and

WHEREAS, the City Council of the City of Willmar finds that it is in the best interest of the City of Willmar to grant said petition;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the transmission line easement described as follows is hereby vacated:

Beginning at a point on the North line of Section 3, Township 118, Range 35 West, 1,343 feet East of the Northwest corner of said Section 3 which is the point of beginning; thence South and parallel to the West line of said Section 3 a distance of 200 feet, thence West and parallel to the North line of said Section 3 a distance of 200 feet, thence South and parallel to the West line of said Section 3 to a point on the South line of the North  $\frac{1}{2}$  line of the NW  $\frac{1}{4}$  of said Section 3, thence East on the South line of the North  $\frac{1}{2}$  line of the NW  $\frac{1}{4}$  of said Section 3 to a point on the East line of the NW  $\frac{1}{4}$  of said Section 3, thence North on the East line of the NW  $\frac{1}{4}$  of said Section 3 to the North line of said Section 3, thence West on the North line of said Section 3 to the point of beginning.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the Kandiyohi County Recorder on or after July 12, 2005.

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

At 7:14 p.m. Mayor Heitke opened a hearing on an Ordinance to rezone certain lands from R-4 to LB. Planning and Development Services Director Peterson informed the Mayor and Council that Bremer Bank proposes the rezoning of property east of Cash Wise from R-4 (Medium Density

Multiple Family Residential) to LB (Limited Business) for the purpose of bank development. The Planning Commission has approved of the rezoning. There being no one present to speak for or against the proposed Ordinance, Mayor Heitke closed the hearing at 7:15 p.m.

Council Member Reese offered a motion to adopt, assign a final number, and publish the Ordinance Amending Municipal Ordinance No. 1060, the Willmar Zoning Ordinance. Council Member Christianson seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Mayor Heitke acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

Steve Renquist, Economic Development Director for Kandiyohi County, presented information relating to the Willmar Area Multicultural Market. He noted that the Minnesota Design Team's recommendation is to have the market located near the Center Point Mall, but the former Erickson's Furniture building was also visited as a site. Mr. Renquist is working on preparation of a \$100,000 grant (10% needed as matching dollars) and requested \$50,000 from the City with \$50,000 matched by Kandiyohi County. A \$20,000 grant is expected from the Southwest Minnesota Foundation with a match of \$10,000 each requested now from the City and Kandiyohi County. The Southwest Minnesota Housing Partnership is involved, possibly as an owner and a date of May 5, 2007 is set as an open date timetable. Council Member Anderson made a motion to direct staff to look at ways to finance the \$10,000 and bring it to the Finance Committee for consideration. Council Member Gardner seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Schmit presented to the Mayor and Council a review of the All America City Award recently awarded to the City of Willmar in Atlanta, Georgia. Mr. Schmit thanked the Mayor and Council for their support, thanked the many volunteers, and thanked businesses that supported the project with cash contributions, discounted photography services, discounted pricing of shirts and other wares given out at the Willmar display booth. He stated that this award is for a community that recognizes that there are problems and how do you go about solving these problems. This matter was for information only.

The Finance Committee Report for June 27, 2005, was presented to the Mayor and Council by Council Member Anderson. There were seven items for Council consideration.

Item No. 1 Municipal Utilities General Manager Nitchals appeared before the Committee to explain that the Utilities have the opportunity to increase its participation in the BSP2 (Big Stone City Power) Project up to a total of 10 megawatts. It was previously determined that it was in the best interest of the City to enter into the Power Sales Agreement with the Central Minnesota Municipal Power Agency for a (5) megawatt allotment. With the growing community, peak energy and annual requirements in hours have seen a 2.5% annual increase.

The Committee was recommending the Council introduce a resolution increasing the participation in the Big Stone City Power Project up to a total of 10 megawatts. Resolution No. 2 was introduced by Council Member Anderson seconded by Council Member Dokken read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 2

#### BIG STONE POWER PLANT #2 (BSP2) CONTRACT AMENDMENT

BE IT RESOLVED, by the City Council of the City of Willmar (hereinafter referred to as "City") as follows:

Section 1: It was previously determined that it was in the best interest of the City to enter into the Power Sales Agreement with the Central Minnesota Power Agency (hereinafter "CMMPA") and authorize the City's participation in the following project: Big Stone City Power Plant No. 2 (BSP2) Under the Auspices of the Otter Tail Power Company.

Section 2: The Commission has approved the Power Sales Agreement with the CMMPA and its participation in the project identified above and the financing thereof, if any.

Section 3: The Commission wishes to increase its participation in the BSP2 Project up to a total of ten (10) megawatts (MW).

Section 4: The Resolution of the Willmar Municipal Utilities Commission with Amended Power Sales Agreement and amended schedules attached thereto as Exhibit "A" (on file in the City Clerk's Office) are hereby approved and appended hereto.

Section 5: The CMMPA Power Sales Agreement and pertinent schedules are hereby approved as amended to increase the City's participation up to a total of 10 MW. The Mayor is hereby authorized and directed to execute such Amended Power Sales Agreement for and on behalf of the City, the same to be exclusively evidenced by such execution and the City Clerk is hereby authorized and directed to affix thereon the seal of the City and to attest thereto.

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 2 The Committee was informed by staff that due to the previous approval of a contract with Barr Engineering to study storm water problems in Southeast Willmar, three additional actions were necessary.

The first was to adopt a resolution with the intent to reimburse costs from Bond proceeds if needed, and the Committee was recommending the Council introduce a resolution for intent to reimburse the City for any costs incurred prior to a future bond sale. Resolution No. 3 was introduced by Council Member Anderson seconded by Council Member Fagerlie read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

### RESOLUTION NO. 3

#### RESOLUTION ESTABLISHING PROCEDURES RELATING TO COMPLIANCE WITH REIMBURSEMENT BOND REGULATIONS UNDER THE INTERNAL REVENUE CODE

(For Resolution in its entirety, see City Council proceedings file dated  
July 5, 2005, located in the City Clerk's Office)

The second action was to amend the 2005 Street Improvement Budget to cover the costs of the engineering study until project funding is determined, and the Committee was recommending

to introduce a resolution to amend the 2005 Street Budget as proposed. Resolution No. 4 was introduced by Council Member Anderson seconded by Council Member Gardner read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

**RESOLUTION NO. 4**

**FINAL 2005 IMPROVEMENTS BUDGET  
ESTIMATED TOTAL COST \$4,687,654.00**

**PERSONNEL SERVICES**

Overtime Reg. Employees	\$ 500.00
Salaries Temp. Employees	6,000.00
Employer Pension Contr.	1,500.00
<b>TOTAL</b>	<b>\$8,000.00</b>

**SUPPLIES**

Office Supplies	\$ 1,500.00
Small Tools	2,000.00
Motor Fuels & Lubricants	1,000.00
Postage	2,000.00
Mtce. of Other Improvements	2,000.00
General Supplies	3,500.00
<b>TOTAL</b>	<b>\$12,000.00</b>

**OTHER SERVICES**

Printing & Publishing	\$ 2,000.00
Mtce. of Other Impr.	3,198,079.00
Other Services (Contingency)	1,080,000.00
<b>TOTAL</b>	<b>\$4,280,079.00</b>

**OTHER CHARGES**

Insurance & Bonds	\$ 1,500.00
Prof. Serv. (Mn/DOT, Consultant)	121,900.00
Transfer to 4503	28,100.00
Adm. OH (Transfer)	186,075.00
Other Charges (Bond)	50,000.00
<b>TOTAL</b>	<b>\$387,575.00</b>

**GRAND TOTAL \$4,687,654.00**

**RECEIVABLES**

Property Owners	\$ 955,694.00
City (MUC)	54,750.00
State (State Aid)	621,200.00
City (WTP)	36,000.00
City (2004 Transfer)	70,000.00
Developer	2,439,626.00
City (Utility fee)	253,969.00
City (CIF)	25,711.00
Developer (Cash)	230,704.00
<b>TOTAL</b>	<b>\$4,687,654.00</b>

**FINANCING**

Bonds	\$3,675,000.00
State	621,200.00
City (MUC/WWTP)	90,750.00
City (2004 Transfer)	70,000.00
Developer (Cash)	\$230,704.00
<b>TOTAL</b>	<b>\$4,687,654.00</b>

**GRAND TOTAL \$4,687,654.00**

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

The third action was to adopt a final budget for the Willmar Avenue Signal Light Projects, and the Committee was recommending the Council introduce a resolution to adopt the final Signal Light Project Budget. Resolution No. 5 was introduced by Council Member Anderson seconded by Council Member Dokken read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 5

2005 SIGNAL IMPROVEMENTS BUDGET  
PROJECT NO. 0505  
ESTIMATED TOTAL COST \$404,404.50

**PERSONNEL SERVICES**

Salaries Temp. Employees	\$1,000.00
<b>TOTAL</b>	<b>\$1,000.00</b>

**SUPPLIES**

Office Supplies	\$ 500.00
Small Tools	
Motor Fuels & Lubricants	1,000.00
Postage	1,000.00
Mtce. of Equipment	
Mtce. of Structures	
Mtce. of Other Improvements	2,000.00
Subsistence of Persons	
Cleaning & Waste Removal	
General Supplies	1,500.00
<b>TOTAL</b>	<b>\$6,000.00</b>

**OTHER SERVICES**

Printing & Publishing	\$ 1,000.00
Mtce. of Other Impr.	334,654.50
Other Services (contingencies)	20,000.00
<b>TOTAL</b>	<b>\$355,654.50</b>

**OTHER CHARGES**

Insurance & Bonds	\$ 1,500.00
Prof. Serv. (SEH)	29,700.00
Adm. OH (Transfer)	10,550.00
<b>TOTAL</b>	<b>\$41,750.00</b>

**GRAND TOTAL** **\$404,404.50**

**RECEIVABLES**

County	\$149,178.33
State (State Aid)	255,226.17
<b>TOTAL</b>	<b>\$404,404.50</b>

**FINANCING**

County	\$149,178.33
State (State Aid)	255,226.17
<b>TOTAL</b>	<b>\$404,404.50</b>

**GRAND TOTAL** **\$404,404.50**

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 3 The Committee reviewed the current statutory tort liability limits to the extent of the coverage purchased from the League of Minnesota Cities Insurance Trust. If the City doesn't waive the statutory tort limits, an individual claimant would be able to recover no more than \$300,000 on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover in a single occurrence to which the statutory tort limits apply would be limited to

\$1,000,000. If the City waives the statutory tort limits and purchases excess liability coverage at a premium of \$1,400 an individual could potentially recover an amount up to \$1,000,000.

Following discussion, the Committee was recommending the Council introduce a resolution stating the City will not waive the statutory tort limits. Resolution No. 6 was introduced by Council Member Anderson seconded by Council Member Fagerlie read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 6

WHEREAS, cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of coverage purchased, and

WHEREAS, the City Council has reviewed the various options for monetary limits on municipal tort liability.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar that the City does not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 4 The Committee was informed that the Bremer Bank was donating proceeds from its annual golf tournament to the City's Police and Fire Departments for the purchase of defibrillators. The Committee was recommending the Council introduce a resolution accepting the donation and sending a letter of acceptance thanking Bremer Bank for its donation.

Resolution No. 7 was introduced by Council Member Anderson seconded by Council Member Gardner read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 7

WHEREAS, Bremer Bank has agreed to donate to the City of Willmar approximately \$8,000.00 from its annual golf tournament to the Willmar Police and Fire Departments for the purchase of defibrillator.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Willmar, Minnesota, that the City accept the donation from Bremer Bank and that the City Administrator be directed to express the community's appreciation for the donation.

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday

Attest: CITY CLERK

Item No. 5 Staff informed the Committee that due to the recent annexation of property along south First Street, the City needs to certify a number of outstanding special assessments. The assessments were for Project 9605 Street Improvements, 9101 Water Main, 7002 Sanitary Sewer and 6905 Water Main, and were deferred due to the property lying outside the City limits.

The Committee was recommending the Council schedule a public hearing for July 18, 2005, at 7:01 p.m. Pursuant to further conversations with the new buyer, and their willingness to sign a waiver of assessment hearing, this matter will be placed on a future Finance Committee agenda to adopt the assessments and certify for collection when the new buyer has legal possession of the property.

Item No. 6 The Committee reviewed the April Rice Hospital and May Rice Trust Reports. This matter was for information only.

Item No. 7 The Committee was reminded that future agendas will include discussion of the City's Assessment Policy, Community Education and Recreation fees, and the 2006 budget. This matter was for information only.

The Finance Committee Report for June 27, 2005 was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson seconded by Council Member Dokken and carried.

The Public Works/Safety Committee Report for June 28, 2005, was presented to the Mayor and Council by Council Member Reese. There were nine items for Council consideration.

Item No. 1 Council Member Christianson commented on the situation and the need to change or relax downtown parking enforcement procedures. Beverly Dougherty of Main Street Willmar was also present and submitted correspondence relating to parking issues in the downtown and suggestions addressed by the Minnesota Design Team.

Items discussed were the predictability of parking, timed parking, residential apartments, the Minnesota Design Team handout, use of the KAT bus system, and annual review to stay on top of issues. The need to address parking on a larger, long-term plan was the consensus of the committee. No action was taken by the committee on this matter.

Item No. 2 Sam Lahanis of Donohue and Associates was present to give a sample format for the first report he will be presenting at the second Council meeting in July in relation to the Wastewater Treatment Plant Relocation Project. The report will be monthly to the full Council and last approximately ten minutes with updates. Council Member Anderson commented Rice Hospital had similar monthly updates during construction which was very helpful.

Item No. 3 This item was brought before the committee as a result of recent news reports of water quality issues at Robbins Island. Staff referred the committee to page two of the protocol for this and past years. Samples are taken at the beach weekly by wading out into the water. Results of these samples are sent to the Community Ed and Recreation (CER) staff as they oversee operation of the beach. If any one sample exceeds the minimum standard, CER is notified immediately to begin beach closure procedures. They then notify the Public Works Department to post the advisory signs to close the beach. Staff then referred to actual water quality test results which were handed out to the committee. Testing began the end of May and to date no test results have indicated the beach needed to be closed during the summer swim season.



Item No. 4 Staff presented the plans and specifications prepared by HNTB for the fueling system at the new airport with a bid opening date of August 9, 2005. The plans are a rebid due to redesign of the system. The project has a completion date of April, 2006 and an estimated cost of \$300,000. Funding will be split 50/50 between the State of Minnesota and the City. The State's portion will be reimbursed from a future grant prior to award of bid.

Resolution No. 8 was introduced by Council Member Reese seconded by Council Member Christianson read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 8

WHEREAS the consulting engineer for the new municipal airport, HNTB, has presented to the City of Willmar plans and specifications for the airport fuel system;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 9<sup>th</sup> day of August, 2005, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 5 Staff presented plans and specifications for Project No. 0507 consisting of the lighting for various new housing developments and additional walk path lighting on 30<sup>th</sup> Street NW and Pheasant Run.

Resolution No. 9 was introduced by Council Member Reese seconded by Council Member Christianson read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 9

WHEREAS the City Engineer has presented to the City of Willmar plans and specifications for Project No. 0507 – Street Lighting Improvements;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Willmar that:

Final plans and specifications are hereby approved, and publication of the advertisement for bids is herewith authorized. Bids will be publicly opened and read at 1:00 p.m. on the 8<sup>th</sup> day of August, 2005, at the City Office Building, 333 Southwest Sixth Street, Willmar, Minnesota.

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 6 Staff presented a final pay request for Quam Construction Co., Inc. of Willmar for the 2004 Sewer and Water Main Project No. 0402. The project was completed this spring and included areas of new development. The final amount due is \$28,263.50 and the project came in under contract.

Resolution No. 10 was introduced by Council Member Reese seconded by Council Member Anderson read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 10

**ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT**

IMPROVEMENT: Project No. 0402 – 2004 Sewer and Water Main Improvements

CONTRACTOR:	Quam Construction Co. Inc.
DATE OF CONTRACT:	May 7, 2004
BEGIN WORK:	June 2, 2004
COMPLETE WORK:	September 13, 2004
APPROVE, CITY ENGINEER:	June 28, 2005

**BE IT RESOLVED** by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 0402 be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$580,011.00
Change Orders (None)	\$0.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$580,011.00
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$565,985.38
Less Previous Payments	\$537,006.48

**FINAL PAYMENT DUE CONTRACTOR: \$28,263.50**

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 7 The committee discussed the intersection of 1<sup>st</sup> Street South and the entrance to Walmart/Menards. Chief Kulset presented accident statistics as follows: Thus far for 2005 there have been a total of 401 traffic accidents in Willmar with 146 of them occurring on 1<sup>st</sup> Street. Nineteen have been between 28<sup>th</sup> Avenue and the entrances to these businesses. Of that

nineteen, two have occurred at the entrance to Walmart/Menards and 1<sup>st</sup> Street; three were in the actual Menards parking lot, ten in the Walmart lot, and two at the intersection of 28<sup>th</sup> Avenue SW and 1<sup>st</sup> Street.

A suggestion was made by the committee that northbound traffic from Menards should be advised with a sign in the Menards parking lot. Staff was directed to contact Menards with regards to this matter.

Item No. 8 Staff presented a proposal from Bonnema Surveys to do an inventory of the City's existing sanitary and storm sewer system displaying the data using geographic information system (GIS) data. This type of information system will aid the city in managing the underground network of utility lines now and in the future. The information collected will be in a format that will layer into a GIS computer map. The City's inventory data will be fit into the new Kandiyohi County GIS system and have the advantages of fast and organized entry and retrieval and be capable of being e-mailed to a consultant or developer. The information could be made available to the public via the internet, allow projects to be tied together with less effort and is easily upgraded. The scope of services and deliverables was reviewed. The cost estimate for the surveying contract is \$100,000. The estimated work was a part of the Donohue contracted services and subsequent action would be necessary to reduce the Donohue agreement by an equal amount.

Resolution No. 11 was introduced by Council Member Reese seconded by Council Member Anderson read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 11

Whereas Bonnema Surveys has prepared a proposal for work identified as the inventory mapping of the sanitary and storm sewer system using GIS (Geographic Information System) data for the City of Willmar; and

Whereas an agreement has been prepared to perform such services and outlined in the proposal dated June 28, 2005.

Now therefore be it resolved by the City Council of the City of Willmar that said agreement be approved and that the Mayor and City Administrator be authorized to execute the same.

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Resolution No. 12 was introduced by Council Member Reese seconded by Council Member Anderson read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

#### RESOLUTION NO. 12

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into a contract amendment to supplement the agreement between the City of

Willmar and Donohue and Associates by reducing its scope of services by \$100,000.

BE IT RESOLVED the supplement changes the original contract agreement and reduces its scope of services to enable the City to contract for services with a local surveyor for the Inventory Mapping of Sanitary and Storm Water Systems project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Willmar that:

1. The original contract with Donohue and Associates to be reduced by \$100,000 to \$913,940.
2. The Willmar Wastewater Treatment Plant Relocation Budget to include professional services for local survey mapping work authorized in separate resolution.
3. The overall Willmar Wastewater Treatment Plant Relocation Budget to remain unchanged.

Dated this 5<sup>th</sup> day of July, 2005.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Item No. 9 The committee was informed that Donohue and Associates will be hosting an Open House at their new office in Willmar. The Open House is scheduled for July 20 from 4:30 p.m. to 7:00 p.m. downtown in the Canard Center, Suite 36.

The Public Works/Safety Committee Report for June 28, 2005, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese seconded by Council Member Swenson and carried.

Planning and Development Services Director Peterson presented to the Mayor and Council a preliminary plat for Gesch Acres, a three-lot plat being developed by Gesch Properties of Plymouth, Minnesota. The three-lot plat includes the existing Cash Wise site, 4<sup>th</sup> Street Southeast realignment, and two lots to the east. There were several utility easement additions and other conditions attached by the Planning Commission for preliminary plat approval.

Council Member Fagerlie offered a motion to approve the Plat of Gesch Acres. Council Member Gardner seconded the motion, which carried on a roll call vote of Ayes 8, Noes 0.

Planning and Development Services Director Peterson informed the Mayor and Council that Gesch Properties proposed the rezoning of property east of Cash Wise and the future Bremer Bank site from R-4 (Medium Density Multiple Family Residential) to LB (Limited Business) for the purpose of commercial development. The Planning Commission approved the rezoning. Following discussion, Council Member Reese moved to introduce the Ordinance Rezoning the property from R-4 to LB and to schedule a public hearing for July 18, 2005 at 7:02 p.m. Council Member Anderson seconded the motion, which carried.

Mayor Heitke informed the Council that a community celebration is being planned for the All-America City award recently received in Atlanta, Georgia. Ideas for the celebration were welcomed and should be forwarded to the City Administrator.

Announcements for Council Committee meeting dates were as follows: Finance, July 11,

2005; Public Works/Safety, July 12, 2005; Community Development, July 14, 2005.

There being no further business to come before the Council, the meeting adjourned at 9:10 p.m. upon motion by Council Member Gardner, seconded by Council Member Christianson, and carried.

Attest:

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MAYOR

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SECRETARY TO THE COUNCIL